

**State of New Mexico  
ENVIRONMENT DEPARTMENT**

**Ground Water Quality Bureau**

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**Ron Curry  
Secretary**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**Derrith Watchman-Moore  
Deputy Secretary**

May 20, 2005

Mr. Robert Quintanar  
Chino Mines Company  
P.O. Box 7  
Hurley, New Mexico 88043

**Subject: Comments on the Site Investigation Report dated March 18, 2005  
Interim Remedial Action, Groundhog No. 5 Stockpile  
Hanover and Whitewater Creeks Investigation Unit (H/WCIU)  
Chino Administrative Order on Consent (AOC)**

Dear Mr. Quintanar:

The Ground Water Quality Bureau of the New Mexico Environment Department (NMED) received the above-mentioned Site Investigation Report on March 22, 2005. NMED has reviewed this document with input from the Mining and Minerals Division (MMD), please submit a response to NMED within 15 days of receipt of this letter that addresses the enclosed comments and fulfills the requests.

**General Comment**

1. NMED believes, based on the current information, that this stockpile is not an imminent threat to human health or the environment and therefore an Interim Remedial Action is not necessary. Any remedial actions on this stockpile will be addressed in the Hanover/Whitewater Creeks Investigation Unit Record of Decision (ROD).

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### Specific Comments

1. Page 3, Section 3: Change the date in the first sentence to "November 10" as on Page 1 and in Section 3.2.
2. Page 6, Section 4.1: Correct "GH-1" to "GH5-1" in the third sentence, of the last paragraph, beginning "Minimal mineralization ..."
3. Page 7, Section 4.1: Correct the first sentence of the last paragraph to read "The pre-mining surface water is characterized by the ..."
4. Section 5, Conclusions and Recommendations: NMED believes that this section is premature and should be taken out of this characterization report. Requirements for remediation of this stockpile will be addressed in the ROD for the Hanover/Whitewater Creeks Investigation Unit. The ROD will be based upon the risk assessments and Applicable or Relevant and Appropriate Requirements (ARARs), including, but not limited to, the Mining Act and the existing Mining and Minerals Division's Closeout plan.

Please feel free to call Chris Eustice, at (505) 827-1046, or me, at (505) 388-1934, if you have any questions or require additional information.

Sincerely,



Phil Harrigan  
Geoscientist, Mining Environmental Compliance Section  
Ground Water Quality Bureau, Silver City Field Office

cc: Chris Eustice, NMED  
Mary Ann Menetrey, NMED  
Stephen Lucero, MMD  
Petra Sanchez, EPA